

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**MARC HAYES**

**v.**

**CITY OF PHILADELPHIA**

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**CIVIL ACTION NO. 24-797**

**ORDER**

This 29<sup>th</sup> day of April, 2024, Plaintiff having filed an Amended Complaint, it is hereby  
**ORDERED** that Defendant's Motion to Dismiss (ECF 5) is **DENIED** as **MOOT**.

/s/ Gerald Austin McHugh  
United States District Judge